

### **III. Remarks**

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-12 and 14 are pending in the application. Claims 1 and 11 are independent. Claims 1, 7, 8, 9, 10, and 11 have been amended to clarify the claim language with respect to the specification and drawings, and not in response to any claim rejection. Claim 13 has been cancelled.

The specification has been amended at five points to correct typographical errors and to clarify a reference to the 3GPP document. No new matter has been added.

Applicants note with appreciation that the Examiner has indicated that Claims 2-10 contain allowable subject matter.

Claims 1 and 11-14 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2001/0048714 A1 to Jha ("Jha"). This rejection is traversed.

As amended, independent Claim 1 recites a wireless communication system for communication between a base station and a plurality of subscriber stations. The system comprises an uplink channel structure for said plurality of subscriber stations to communicate with said base station and said uplink channel structure including a plurality of dedicated channels and an uplink part of at least one bi-directional user control channel, and a downlink channel structure including a plurality of dedicated channels and a downlink part of said at least one bi-directional user control

channel to communicate with subscriber stations to which no dedicated channel is allocated. The bi-directional user control channel transmits data in frames divided into slots, and each subscriber station employing said user control channel is allocated at least a portion of a slot in said frames.

As amended, independent Claim 11 recites a wireless communication system for communication between a base station and a plurality of subscriber stations. The system comprises a plurality of dedicated channels dynamically allocable for said plurality of subscriber stations to communicate with said base station, and at least one bi-directional user control channel for communicating between said base station and those of said subscriber stations to which no dedicated channels is allocated. The bi-directional user control channel is shared among said subscriber stations to which no dedicated channel is allocated so that each of those subscriber stations utilizes less transmission capacity than one of said dedicated channels.

Accordingly, each of independent Claims 1 and 11 recites a wireless communication system that includes at least one bi-directional user control channel. This feature provides the present invention with the advantage of shared use of a bi-directional user control channel by subscriber stations that are not allocated a dedicated channel, thus enabling bi-directional communication between those stations and the base station.

In contrast to each of the independent claims of the present invention, Jha fails to disclose a bi-directional communication capability between the base station and the subscriber stations. In particular, item 418 from Figure 4A of Jha depicts a control

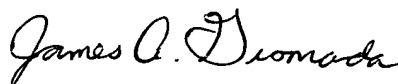
channel, described as being a synchronization channel (SCH) at paragraph 0054, and items 406a – 406n and 408a – 408n depict a primary synchronization sequence  $C_p$  and a secondary synchronization sequence  $C_s$ . However, there is no disclosure in Jha that the base station communicates bi-directionally with the subscriber stations over the disclosed synchronization channel 418.

Therefore, because each of independent Claims 1 and 11 recites a system in which the base station and the subscriber stations are capable of bi-directional communication over a control channel, and because the cited reference fails to disclose this feature, each of independent Claims 1 and 11 is allowable over the cited reference. In addition, each of Claims 2-10, 12, and 14 depends from one of independent Claims 1 and 11, and therefore, each of the dependent claims is allowable for the same reasons as those discussed above.

In view of the above amendments and remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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